

JOSEPH P. RUSSONIELLO (CASBN 44332)
United States Attorney

BRIAN J. STRETCH (CASBN 163973)
Chief, Criminal Division

ALLISON MARSTON DANNER (CASBN 195046)
Assistant United States Attorney

450 Golden Gate Avenue, Box 36055
San Francisco, California 94102
Telephone: (415) 436-7144
Fax: (415) 436-7234
Email: allison.danner@usdoj.gov

Attorneys for Plaintiff

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

FILED

FEB 08 2008

RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

MEJ

3 - 08 - 70063

UNITED STATES OF AMERICA,)
)
Plaintiff,)
)
v.)
)
KWAN LAP YU,)
)
Defendant.)

CRIMINAL NO. . . .

NOTICE OF PROCEEDINGS ON
OUT-OF-DISTRICT CRIMINAL
CHARGES PURSUANT TO RULES
5(c)(2) AND (3) OF THE FEDERAL RULES
OF CRIMINAL PROCEDURE

Please take notice pursuant to Rules 5(c)(2) and (3) of the Federal Rules of Criminal
Procedure that on February 8, 2008, the above-named defendant was arrested based upon an
arrest warrant (copy attached) issued upon an

☒ Indictment

☐ Information

☐ Criminal Complaint

☐ Other (describe) _____

pending in the District of Kansas, Case Number 05-40095-06-JAR.

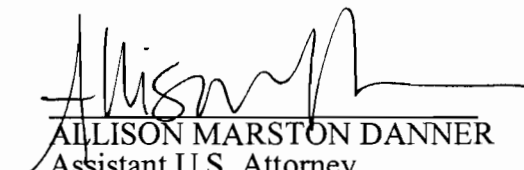
RES

1 In that case, the defendant is charged with violations of Title 21 United States Code, Section
2 846.

3 Description of Charges: Conspiracy to distribute cocaine, ecstasy, a mixture containing a
4 detectable amount of methamphetamine, and marijuana plants.

5
6 Respectfully Submitted,
7 JOSEPH P. RUSSONIELLO
UNITED STATES ATTORNEY

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9 Date: February 8, 2008

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ALLISON MARSTON DANNER
Assistant U.S. Attorney

AO 442 (Rev. 10/03) Warrant for Arrest

SEALED**United States District Court**

DISTRICT OF

Kansas

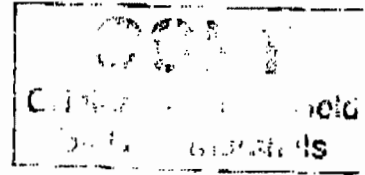
UNITED STATES OF AMERICA

v

WARRANT FOR ARREST

KWAN LAP YU

CASE NUMBER: 05-40095-06-JAR

To: The United States Marshal
and any Authorized United States OfficerYOU ARE HEREBY COMMANDED to arrest KWAN LAP YU

Name

and bring him or her forthwith to the nearest magistrate judge to answer a(n)

Sealed Second Superseding
☒ Indictment ☐ Information ☐ Complaint ☐ Order of Court ☐ Probation Violation Petition ☐ Supervised Release Violation Petition ☐ Violation Notice

charging him or her (brief description of offense)

Conspiracy to distribute controlled substance;
 not less than 15 kilograms of cocaine, a Schedule II controlled substance
 not less than 10 kilograms of Ecstasy, a Schedule I controlled substance
 not less than 4 kilograms of a mixture or substance containing a detectable amount of methamphetamine, a Schedule II controlled substance; and
 not less than 139 marijuana plants, a Schedule I controlled substance

UNITED STATES MARSHAL
 RECEIVED
 JUN 24 2 17 PM '08
 TOPEKA, KANSAS

in violation of 21 United States Code, Section(s) 846INGRID A. CAMPBELL

Name of Issuing Officer

Acting Clerk of Court

Title of Issuing Officer

MB
Signature of Issuing Officer01-24-2008 Topeka, Kansas
Date and Location**RETURN**

This warrant was received and executed with the arrest of the above-named defendant _____

DATE RECEIVED	NAME AND TITLE OF ARRESTING OFFICER	SIGNATURE OF ARRESTING OFFICER
DATE OF ARREST		

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF KANSAS
(Topeka Docket)

FILED
U.S. DISTRICT COURT
DISTRICT OF KANSAS

2006 JAN 24 P 12:33

BY: A. C. Williams DEPUTY
AT TOPEKA, KS

UNITED STATES OF AMERICA,)
Plaintiff,)

v.)

BO CHENG FENG,)
FENG LI,)
CHUN XIOA YUAN,)
TAT HI CHAN,)
a/k/a "Cuie Lu,")
DONNA LI,)
KWAN LAP YU, and)
PETER SUM LI,)
Defendants.)

Case No. 05-40095-01/07-JAR

SEALED
SECOND SUPERSEDING INDICTMENT

The Grand Jury charges that:

Count 1

From a date unknown to the grand jury, but beginning sometime before the 24th
day of May, 2004, and continuing until on or about the 27th day of September, 2006,
in the District of Kansas and elsewhere, the defendants,

BO CHENG FENG,
FENG LI,
CHUN XIOA YUAN,
TAT HI CHAN,

**DONNA LI,
KWAN LAP YU, and
PETER SUM LI,**

knowingly, willfully and unlawfully combined, conspired, confederated and agreed with each other, with Cui Qin Zhang and with Zhou Mou Chen, and with other persons whose identities are both known and unknown, to distribute controlled substances, including but not limited to: not less than fifteen (15) kilograms of cocaine, a Schedule II controlled substance; not less than ten (10) kilograms of Ecstasy, a Schedule I controlled substance; not less than four (4) kilograms of a mixture or substance containing a detectable amount of methamphetamine, a Schedule II controlled substance; and not less than 139 marijuana plants, a Schedule I controlled substance, all in violation of Title 21, United States Code, Section 846; with reference to Title 21, United States Code, Sections 812, 841(a)(1) and (b)(1)(A), and Title 18, United States Code, Section 2.

Count 2

On or about the 27th day of June, 2004, in the District of Kansas and elsewhere, the defendants,

**BO CHENG FENG,
FENG LI,
CHUN XIOA YUAN,
TAT HI CHAN,
DONNA LI,**

**KWAN LAP YU, and
PETER SUM LI,**

knowingly and intentionally possessed, with intent to distribute, approximately fifteen (15) kilograms of cocaine, a Schedule II controlled substance, in violation of Title 21, United States Code, Section 841(a)(1); with reference to Title 21, United States Code, Sections 812 and (b)(1)(A), and Title 18, United States Code, Section 2.

Count 3

On or about the 27th day of June, 2004, in the District of Kansas and elsewhere, the defendants,

**BO CHENG FENG,
FENG LI,
CHUN XIAO YUAN,
TAT HI CHAN,
DONNA LI,
KWAN LAP YU, and
PETER SUM LI,**

knowingly and intentionally possessed, with intent to distribute, not less than ten (10) kilograms of Ecstasy, a Schedule I controlled substance, in violation of Title 21, United States Code, Section 841(a)(1), with reference to Title 21, United States Code, Sections 812 and 841(b)(1)(C), and Title 18, United States Code, Section 2.

Count 4

On or about the 27th day of June, 2004, in the District of Kansas and elsewhere,

the defendants,

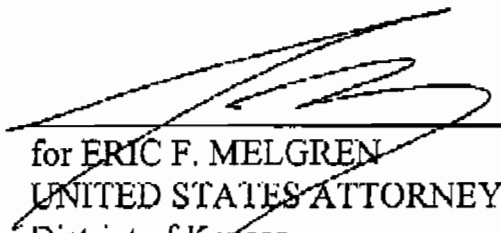
**BO CHENG FENG,
FENG LI,
CHUN XIOA YUAN,
TAT HI CHAN,
DONNA LI,
KWAN LAP YU, and
PETER SUM LI,**

knowingly and intentionally possessed, with intent to distribute, not less than four (4) kilograms of a mixture or substance containing a detectable amount of methamphetamine, a Schedule II controlled substance, in violation of Title 21, United States Code, Section 841(a)(1), with reference to Title 21, United States Code, Sections 812 and 841(b)(1)(C), and Title 18, United States Code, Section 2.

A TRUE BILL.

1-23-08
DATE

FOREMAN OF THE GRAND JURY


for ERIC F. MELGREN
UNITED STATES ATTORNEY
District of Kansas

[It is requested that trial be held in Topeka, Kansas.]

Receipt of this Indictment is acknowledged in open court.

K. J. Schell
UNITED STATES DISTRICT JUDGE
MAGISTRATE